

REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-30 in the application. In a previous response, the Applicant amended Claims 1, 8 and 22 with subject matter included in the original specification. In the present response, the Applicant has not amended, canceled or added any claims. Accordingly, Claims 1-30 are currently pending in the application.

I. Rejection of Claims 1-2, 4-5, 8-9, 11-12, 22-23, 25-26 and 29-30 under 35 U.S.C. §102

The Examiner has rejected Claims 1-2, 4-5, 8-9, 11-12, 22-23, 25-26 and 29-30 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,462,108 to Miller. The Applicant respectfully disagrees since Miller does not teach determining one of first and second angles of first and second points of a signal is an offset angle by which the signal has been rotated as recited in independent Claims 1, 8 and 22.

Miller generally relates to digital modems and, more specifically, to techniques for rapid modem carrier acquisition and synchronization. (*See column 1, lines 5-7.*) Miller teaches a receiving-end modem that determines which of two alternate phasors is currently being received at the modem during a baud synchronization period and computing a phase error signal from the phase angle of the signal being received and the theoretical phase angle of the received phasor. (*See column 3, lines 2-9.*) Miller does not teach determining one of the first and second angles of the alternate phasors is an offset angle by which the signal has been rotated. Instead, after determining which signal is being received, Miller determines an error signal by subtracting the theoretical phase angle of the received signal from the actual phase angle of the received signal. (*See column 5, line 65 to column 6, line 30.*) Thus, Miller does not determine if an actual received angle is an angle of offset but uses the actual received angle to calculate an error signal. Miller, therefore, fails to teach

determining one of first and second angles of first and second points of a signal is an offset angle by which the signal has been rotated as recited in Claims 1, 8 and 22.

Thus, Miller fails to teach each element of independent Claims 1, 8 and 22 and each element of Claims dependent thereon. Miller, therefore, fails to anticipate Claims 1-2, 4-5, 8-9, 11-12, 22-23, 25-26 and 29-30 and does not support the §102(b) rejection. Accordingly, the Applicant respectfully requests the Examiner to withdraw the rejection and allow issuance of Claims 1-2, 4-5, 8-9, 11-12, 22-23, 25-26 and 29-30.

II. Rejection of Claims 3, 6-7, 10, 13-14, 24 and 27-28 under 35 U.S.C. §103

The Examiner has rejected dependent Claims 3, 6-7, 10, 13-14, 24 and 27-28 under 35 U.S.C. §103(a) as being unpatentable over Miller in further view of: U.S. Patent No. 5,790,594 to Peng for Claims 3, 10 and 24; and U.S. Patent No. 6,426,946 to Takagi, *et al.*, for Claims 6-7, 13-14 and 27-28. The Applicant respectfully disagrees.

As discussed above, Miller does not teach each element of independent Claims 1, 8 and 22. Additionally, Miller does not suggest each element of independent Claims 1, 8 and 22 since Miller teaches using an angle of a received phasor to compute an error signal. (*See* column 5, line 65 to column 6, line 30.) Neither Peng nor Takagi have been cited to cure the above deficiency of Miller. Instead, each of these references have been cited to teach the subject matter of the above designated dependent claims. The cited combinations, therefore, of Miller with either Peng or Takagi do not provide a *prima facie* case of obviousness of independent Claims 1, 8 and 22 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection and allow issuance of dependent Claims 3, 6-7, 10, 13-14, 24 and 27-28.

III. Rejection of Claims 15-16 and 18-19 under 35 U.S.C. §103

The Examiner has rejected Claims 15-16 and 18-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,848,346 to Takashiro in view of Miller. The Applicant respectfully disagrees.

Takashiro relates to an image forming apparatus and, more particularly, relates to an image forming apparatus having multiple functions, such as, facsimile, copier and printer. (*See* column 1, lines 9-18.) Takashiro has been cited to teach a facsimile machine. (*See* Examiner's Action, page 6.) The Examiner recognizes that Takashiro does not teach or suggest angle determination circuitry that determines one of first and second angles of first and second points of a signal is an offset angle by which the signal has been rotated as recited in independent Claim 15. (*See* Examiner's Action, pages 6-7.) To cure this deficiency, the Examiner cites Miller. As discussed above regarding independent Claims 1, 8 and 22, Miller does not teach or suggest determining one of first and second angles of first and second points of a signal is an offset angle by which the signal has been rotated. Thus, the cited combination of Takashiro and Miller does not provide a *prima facie* case of obviousness of independent Claim 15 and Claims 16 and 18-19 which depend thereon. As such, the cited combination of Takashiro and Miller does not render Claims 15-16 and 18-19 unpatentable. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection and allow issuance of Claims 15-16 and 18-19.

IV. Rejection of Claims 17 and 20-21 under 35 U.S.C. §103

The Examiner has rejected dependent Claims 17 and 20-21 under 35 U.S.C. §103(a) as being unpatentable over Takashiro in view of Miller and in further view of Peng for Claim 17 and Takagi for Claims 20-21. The Applicant respectfully disagrees.

As discussed above, the cited combination of Takashiro and Miller does not teach or suggest each element of independent Claim 15. Neither Peng nor Takagi have been cited to cure the above deficiency of Takashiro and Miller. Instead, each of these references have been cited to teach the subject matter of the above designated dependent claims. (*See* Examiner's Action, pages 8-9.) The cited combinations, therefore, of Takashiro and Miller with either Peng or Takagi do not provide a *prima facie* case of obviousness of independent Claim 15 and Claims 17 and 20-21 which depend thereon. As such, the cited combination of Takashiro and Miller does not render Claims 17 and 20-21 unpatentable. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection and allow issuance of Claims 17 and 20-21.

V. Comment on References Cited

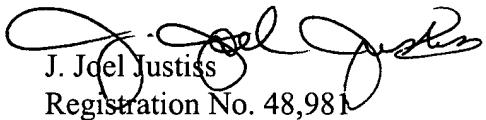
The Examiner cites references but does not indicate that these references are particularly pertinent to the stated grounds for rejecting the claims. The Applicant retains the right to address these references in detail, if necessary, in the future.

VI. Conclusion

In view of the foregoing remarks, the Applicant sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-30.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,
HITT GAINES, PC



J. Joel Justiss
Registration No. 48,981

Dated: 11/30/05

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800